

SEP 06 2006
OPIE IAP78
NATION (RCE)
active on 11/11/2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/817,179
Filing Date: 02 April 2004
First Named Inventor: Clevenger
Group Art Unit: 2818
Examiner Name: T. P. Le
Attorney Docket Number: YOR920010518US1
CUSTOMER NO.: 27,623

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
a. _____ Previously submitted
i. _____ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).
ii. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii. _____ Other _____
b. **XXXXXX** Enclosed
i. _____ Amendment/Reply with transmittal
ii. _____ Affidavit(s)/Declaration(s)
iii. **XXXXXX** Information Disclosure Statement (IDS) and PTO-1449
iv. _____ Other _____
2. **Miscellaneous**
a. _____ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
b. _____ Other _____
3. **Fees** The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
a. **XXXXXX** The Director is hereby authorized to charge the amount of **\$790.00** or credit any overpayments to Deposit Account No. **50-0510**.
i. **XXXXXX** RCE fee (\$790.00) required under 37 C.F.R. §1.17(e)
ii. _____ Extension of Time fee (\$0.00) (37 C.F.R. §§ 1.136 and 1.17)
iii. **XXXXXX** Other Petition for Revival of Application
b. _____ Check in the amount of \$ **0.00** enclosed
c. _____ Payment by credit card (Form PTO-2038, enclosed)

August 31, 2006
Date of Signature

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EV803119213US**, service under 37 CFR §1.10 and is addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: Office of Petitions on September 6, 2006.

Ruth J. Olivo
NAME

SIGNATURE

September 6, 2006
DATE